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March 15, 1996

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

Mr. William F. Caton, Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: Notice of Proposed Rulemaking and Notice of Inquiry, CS Docket No. 95-184

Dear Mr. Caton:

Enclosed are an original and 9 copies of the Comments of Cincinnati Bell Telephone Company in the above referenced proceeding. A duplicate original of these Comments is also provided. Please date stamp this as acknowledgement of its receipt. Questions regarding these Comments may be directed to Mr. Robert J. Wentz at the above address or by telephone on (513) 397-1248.

Sincerely,

*David L. Meier*

David L. Meier  
Director - Legislative & Regulatory Planning

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**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

MAR 18 1996

In the Matter of	)	
	)	
Telecommunications Services	)	CS Docket No. 95-184
Inside Wiring	)	
	)	
Customer Premises Equipment	)	

**COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY**

**I. Background.**

On January 26, 1996, the Commission released a Notice of Proposed Rulemaking ("NPRM") in this docket.<sup>1</sup> The NPRM seeks comment on whether certain telephone and cable inside wiring rules need to be revised, harmonized or otherwise changed in light of the rapidly evolving and converging telecommunications marketplace. (NPRM at para. 5.) Two of the specific issues on which the Commission seeks comment are the location of the demarcation point and subscriber access to inside wiring. Cincinnati Bell Telephone Company ("CBT"), an independent, mid-size local exchange carrier, hereby offers its comments on those two issues.<sup>2</sup>

**II. Demarcation Point Location.**

The Commission seeks comment on whether it should establish a common demarcation point for wireline communications networks -- regardless of whether such networks are

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<sup>1</sup>Telecommunications Services Inside Wiring; Customer Premises Equipment, Notice of Proposed Rulemaking, CS Docket No. 95-184, FCC 95-504, released January 26, 1996.

<sup>2</sup>CBT's Comments address the demarcation point and subscriber access issues because those issues are particularly important to CBT. CBT's decision not to discuss other issues raised in the NPRM, however, should not be construed as tacit support of any tentative conclusions regarding those issues.

broadband or narrowband, or provide cable or telephony services. (NPRM at para. 12.) The Commission also seeks comment on where such a common demarcation point should be located. (NPRM at para. 13.) CBT supports establishing a common demarcation point, where feasible, for all wireline communications services. A common demarcation point will decrease confusion over where a particular service's demarcation point is located and should foster competition among service providers. A common demarcation point seems particularly appropriate where cable and telephony services are provided over a single broadband wire. The telecommunications marketplace will continue to converge and wiring and wiring configurations for different services will become increasingly similar. In this environment, a common demarcation point is in the public interest. CBT urges the Commission to adopt a common demarcation point, where feasible, for wireline communications services.

The rules setting the telephone wiring demarcation point have worked well for CBT and, in the case of multiple dwelling unit buildings, have a useful degree of flexibility.<sup>3</sup> For single dwelling units, CBT suggests that the existing telephone demarcation point should be established as the common demarcation point all wireline communications services (i.e., at a point within 12 inches of the protector, or where there is no protector, up to 12 inches inside the customer's premises).<sup>4</sup> For multiple dwelling units, the demarcation point for telephone services should remain unchanged, but the demarcation point for cable services should be moved to a point up to 12 inches inside the customer's premises. As the Commission has noted, there are several

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<sup>3</sup>For multiple dwelling unit buildings in existence as of August 13, 1990, the Commission's rules permit the demarcation point to be determined in accordance with the carrier's reasonable and nondiscriminatory standard operating practices.

<sup>4</sup>47 C.F.R. §68.3(b)

technical and practical constraints on setting the demarcation point for cable services at the minimum point of entry. (NPRM at para. 13.) Under CBT's proposal, a common demarcation point would be established for most wiring configurations. The demarcation points would not be common only when the LEC (or the new building owner) elects to place the demarcation point at the minimum point of entry. CBT submits that this proposal achieves the benefits of a common demarcation point in those situations where it is technically and practically feasible to do so.

### **III. Subscriber Access to Inside Wiring.**

The Commission has requested comment on whether it should give consumers the right, on their side of the demarcation point, to provide and install their own broadband inside wiring and to access broadband wiring on their premises which has been installed and is owned by the broadband service provider. The Commission also seeks comment on its tentative conclusion not to change its rules giving consumers the right to access their narrowband wiring inside the demarcation point. (NPRM at para. 42.) CBT concurs that the rules regarding customer access to narrowband wiring should not be changed. Permitting access to narrowband inside wiring has fostered a competitive inside wiring marketplace that has resulted in lower costs to the consumer. CBT urges the Commission to give consumers the right to provide, install and access broadband wiring on their side of the demarcation point, and thus bring similar competitive benefits to the consumer.

The deregulation of telephone inside wire, together with the deregulation of CPE, has created highly competitive markets for all telephone-related services performed on the customer's

side of the demarcation point.<sup>5</sup> CBT submits that similar benefits will result if customers are given the right to provide, install and access broadband wiring on their side of the demarcation point. Access to broadband inside wiring would allow consumers to select who will install and maintain their broadband wire, thus creating competition for broadband inside wire services. Such access also would allow subscribers to add to or rearrange their inside wiring configurations, thereby maximizing its utility to that subscriber. CBT submits that customers should have the right to access broadband inside wire whether it carries both cable and telephone service or cable service only.

#### **IV. Conclusion.**

For the reasons stated herein, CBT urges the Commission to establish a common demarcation point for all wireline communications services where reasonably feasible, and to


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<sup>5</sup>For example, at a recent hearing before the Public Service Commission of Kentucky, CBT noted that competitors performed all but two of the wiring installations at the more than 4,400 residences constructed in CBT's Kentucky service area from January 1993 through May 1995. Direct Testimony of Pamela W. Rayome in PSCK Case No. 94-355, filed August 2, 1995.

give consumers the right to provide, install and access broadband wiring on their side of the demarcation point.

Respectfully submitted,

FROST & JACOBS

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Dated: March 18, 1996

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